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PATENT

AMENDMENT C (IN RESPONSE TO PAPER NO. 8
(OFFICE ACTION DATED MARCH 25, 2005))

REMARKS

Claims 1-36 are pending in this case. Claims 6, 18 and 30 have been amended to provide proper antecedent basis for the term "user." Similarly, claims 7, 9, 19, 21, 31 and 33 have been cosmetically amended to remove unnecessary colons in the claim preambles. Based upon the following remarks, it is respectfully submitted that claims 1-36 are allowable.

In addition to the aforementioned claim amendments, various cosmetic and typographical amendments have been made to the specification.

Claims 1-36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Baker, U.S. Patent Publication US 2001/0048449 ("Baker"). This rejection is respectfully traversed; it is submitted that these claims recite subject matter that is not anticipated by and is patentable over Baker.

Independent Claims 1, 13 and 25

Baker is directed toward an intelligence driven paging process for an on-line chat room that uses predetermined preferences or characteristics to ascertain personal compatibility between network or chat room participants based upon profile information. (See Abstract.) For instance, Baker teaches that personality compatibility, not functional capability, among on-line chatters is determined by the system, not the user(s). (¶¶ 0067, 0066.) The personality compatibility is determined using "Compatibility Criteria" in order to notify a user/chatter of others' personality characteristics "without having to click on links to find other chatters' profile information." (Id.) "Compatibility Criteria" is determined using "well-established psychological methods . . . based upon identified commonality

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between chatters' personality traits and geographic location." (¶ 0067.) Common personality traits may, for instance, include "the way chatters interact emotionally or the way chatters cognitively function." (¶ 0067.) Personality traits may also include one's age, horoscope, political affiliation and intelligence quotient. (¶ 0054, FIG. 2, element 118; FIG. 3, elements 112, 118). As a result, the system functions to notify current and prospective on-line chatters of other "compatible" chatters by page (i.e., e-mail) for on-line conversation. (¶ 0084.) In this manner, and as further described below, Baker is silent as to the facilitation of user interface roaming as presently claimed.

The Office Action cites paragraph 0055 as teaching the method of "receiving by an infrastructure server from a wireless link a list of usable interface clients in proximity to the wireless link, wherein each usable interface client has capabilities associated therewith." However, paragraph 0055 merely illustrates that in one embodiment a chat room interface screen running on a browser may include a window listing all chatters in the room, in addition to a window listing all chatters in the room that have matching personality characteristics (i.e., compatible chatters). Baker is silent as to any claim limitations recited above.

The Examiner appears to draw a comparison between Baker's on-line "user(s)" and both the presently claimed "wireless link" and "interface client." It is respectfully noted, however, that the references are not comparable for a number of reasons. First, Baker discloses a system where the flow of information is in the opposite direction as presently claimed. The claims require, among other things, that the infrastructure server receive from a wireless link a list of usable interface clients. Baker, however, teaches a process wherein the system (i.e., a server) provides a user information relating to other chatters. (See e.g., ¶ 0088 discussing, among other things, that the chat room system via a chat room server e-mails

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chatters for on-line conversation.) Because Baker does not teach a system where a wireless link (or the user of a wireless link) provides the infrastructure server with a list of usable interface clients, Baker cannot, by definition, anticipate claim 1.

Second, Baker fails to disclose a system wherein "each usable interface clients has capabilities associated therewith." (Emphasis added.) As described in the specification, "capabilities" refers to the functional capabilities of usable interface clients. (Page 9, lines 4-5.) In one embodiment, capabilities may include the display capabilities of the interface client or other functionalities. (Page 12, lines 28-31.) Display capabilities may include, for instance, a full screen graphical environment like a normal computer, a pen input-based interface (wired or wireless), or a voice operated user interface. (Page 14, lines 19-25.) Baker appears to be solely focused on the personality traits or geographic location of various users with access to on-line chat rooms and subsequently fails to discuss the display or other functional capabilities of system users. In this manner, Baker also fails to teach a subsequent claim limitation of claim 1, wherein the method includes "executing an application based on the capabilities of the selected interface client, wherein execution of the application generates content." (Emphasis added.)

Lastly, the presently claimed subject matter and specification distinguishes between a wireless link and an interface client. Therefore, Baker's on-line user(s) cannot be equivalent to both the wireless link and the interface user. In further support, Baker's "user" refers to "a person participating or communicating within a computer Chat Room system." (¶ 0045.) In contrast, the claimed "wireless link" is "a personal device [that] may be carried by a user to perform a link between the interface client close to the user and the infrastructure. One may think of this as an extended cell phone, but it may likely be more like a gateway or router that communicates with the wireless infrastructure." (Page 13, lines 9-14; FIGs. 1, 5-9,

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Element 102.) The wireless link, alone, is not analogous to a chat room user.

The claimed "interface client" is an external device with a display. (Page 6, lines 16-17.) In one embodiment, the interface client enables a small wireless link to present a graphical interface on the display of the interface client separate from the wireless link. (Page 6, lines 13-16.) For example, in one mode of operation, "the external interface client can be used to improve the user experience by providing a more capable visual display for viewing the application." (Page 17, lines 13-16.) In general terms, the interface client is "an intelligent thin client . . . that performs the interface translation functions of the application run [generally] by the infrastructure server. (Page 7, lines 19-21.) In other words, the interface client is generally controlled either by the wireless link or the infrastructure server to enhance the multimedia experience of a user (of the wireless link). Similar to the wireless link, an interface client, alone, is also not a user in a chat room as defined by Baker.

Because: (1) Baker teaches a system where the flow of information is from the system/server to the user and not from a wireless link to an infrastructure server; (2) Baker does not discuss the capabilities, functional or otherwise, of interface clients alone or in relation to the execution of an application based on these capabilities, but rather appears to focus solely on common personality traits and geographic location of users; and (3) Baker's "user" is analogous to neither the claimed "wireless link" or the claimed "interface client," subpart (a) of claim 1 is not anticipated by Baker.

With respect to subpart (e) of claim 1, the Office Action cites paragraph 0088 as teaching the claimed method comprising "executing an application based on the capabilities of the selected interface client, wherein execution of the

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application generates content." As stated above with respect to subpart (a) of claim 1, the Baker reference appears to exclusively focus on personality traits and geographic location over capabilities. Paragraph 0088 is no exception; it merely focuses on the consequences of two or more compatible user who express their mutual desire to be on-line for a particular period of time. As a result, subpart (e) of claim 1 is also not anticipated by Baker.

As a necessary consequence of the above discussion, the remaining subparts of claim 1 are also not anticipated by Baker. For the aforementioned reasons, claim 1 is believed to be in proper condition for allowance.

Claims 13 and 25 are directed toward a computer program and system, respectively, for facilitating user interface roaming and contain the same or similar subject matter as that listed in claim 1. For the reasons disclosed hereinabove, claims 13 and 25 are submitted as allowable over Baker.

Dependent Claims 2-12

With respect to claim 2, dependent upon allowable base claim 1, the applicable remarks above are respectfully restated and incorporated herein by reference. Additionally, it is noted that the claimed subject matter requires, among other things: (1) "receiving a notification from the wireless link that it has been activated," and (2) "wherein the wireless link determines usable interface clients in proximity thereto upon activation thereof." The Office Action cites paragraphs 0090 and 0091 as teaching the claimed subject matter. However, neither paragraph relied on by the Examiner appears to disclose the first part of claim 2, the method of "receiving a notification from the wireless link that it has been activated." It is respectfully requested, if the Examiner maintains this rejection, that a specific

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paragraph and line number be provided to illustrate where the Baker reference teaches this portion of the claimed subject matter.

More importantly, however, the cited material teaches the opposite of the second part of claim 2. While the claimed subject matter requires "the wireless link [to] determine[] usable interface clients in proximity thereto upon activation thereof," Paragraph 0090 explicitly teaches that the "IDPP [(i.e., the Intelligence Driven Paging Process)] system, based upon the positional information provided by global-positioning system (GPS) or similar device such as cellular phone technology (triangulation), could determine when family members were in proximity to one another, or at a pre-designed location." (¶ 0090, lines 12-17; emphasis added.) While Baker relies on the system using either GPS or triangulation to determine whether users are in proximity to one-another, the claimed subject matter expressly requires the wireless link to determine whether interface clients are in proximity thereto. For the reasons state above, Claim 2 is believed to be in proper condition for allowance.

Claims 3-12 are also dependent upon allowable base claim 1 and further contain novel and patentable subject matter. Therefore, Claims 3-12 are also believed to be in proper condition for allowance for at least the same reasons listed with respect to claim 1.

CLAIMS 14-24 & 26-36

As to Claims 14-24 and 26-36, reference is made to the remarks hereinabove as applied to Claims 1-12, 13 and 25; the remarks are incorporated herein by reference.

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Claims 1-36 remain pending in this case. Based upon the foregoing remarks, it is respectfully submitted that these claims are allowable, and reconsideration and early allowable of these claims are requested.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account Number 22-0259.

Respectfully submitted,

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